

## A

## B I L L

## TO

Amend the Law relating to Tithe Rentcharge in Ireland. A.D. 1900.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 5 1.—(1.) Where by virtue of an order under section thirty-two of the Irish Church Act, 1869, or section seven of the Irish Church Act, 1869, Amendment Act, 1872, any land is charged for fifty-two years with an annual sum calculated at the rate of four pounds nine shillings per cent. on the purchase money of any tithe rentcharge, 10 such annual sum shall continue to be paid until forty-five payments thereof from the date at which it commenced have been made and no longer.
- (2.) Where by virtue of any like order any land is charged for a less number of years, at an equivalent annual sum so as to discharge 15 the principal and interest of any such purchase money in a less number of years, such annual sum shall continue to be paid until such less number of payments thereof from the date at which it commenced, as will pay off the purchase money on the assumption that the annual sum so charged included interest at the rate of *three* 20 *pounds ten shillings* per cent. per annum, have been made and no longer.

- 2.—(1.) As soon as possible after the *passing of this Act* the Land Commission shall ascertain, from the appendices to their reports as presented to Parliament in pursuance of section 25 fifty-five of the Land Law (Ireland) Act, 1881, by what amount in each county during the period commencing with and including the year covered by the annual report dated the twentieth day of September one thousand eight hundred and eighty-six, and ending with that presented last before the passing of this Act, the [Bill 97.] A

Amendment of law as to sales of tithe rentcharge by Land Commission, and charge of annual sums for paying the purchase money.

32 & 33 Vict. c. 42.  
35 & 36 Vict. c. 50.

Ascertainment and publication of percentage of variation in judicial rents.

44 & 45 Vict. c. 49.

A.D. 1900. rents of holdings in respect of which judicial rents have been fixed for a first statutory term, whether by order or by agreement, have, for the entire of such period, been varied by the fixing of such judicial rents, and shall certify the average percentage which such variation represents. 5

(2.) The Land Commission shall similarly ascertain and certify for each county in respect of every subsequent period of *fifteen years* the average percentage of variation of judicial rents payable during a second or subsequent statutory term as compared with the judicial rents payable during the last preceding statutory term. 10

(3.) The Land Commission shall publish their certificates under this section in such manner for giving information to all persons interested, as they think most convenient.

(4.) A copy of every certificate of the Land Commission under this section shall be published in the "Dublin Gazette." 15

(5.) The production of a printed copy of the "Dublin Gazette," purporting to be published by the Queen's authority, and containing the publication of any certificate of the Land Commission under this section, or of a sealed copy issued by the Land Commission of any such certificate, shall be evidence of the contents of such 20 certificate, and of the date thereof, and that it has been duly made.

(6.) The Land Commission shall keep a record in their office of all certificates made by them under this section.

Variation  
of tithe  
rentcharges.

3.—(1.) During the period of *fifteen years*, dating from the *first day of November* next after the passing of this Act, the sum payable in respect of every gale accruing due after that date of any tithe rentscharge payable out of hereditaments situate in any county shall be deemed to be varied, from the amount at which it stood on the twenty-second day of August one thousand eight hundred 30 and eighty-four, in accordance with the average percentage of variation of rents declared by the certificate of the Land Commission to have taken place with respect to such county by the fixing of judicial rents for a first statutory term, and shall be payable accordingly. 35

(2.) During each subsequent period of *fifteen years* the like variation shall be deemed to be made in all tithe rentscharges from the amount at which they respectively stood immediately before the commencement of such period, in accordance with the average percentage of the variation of judicial rents certified by the Land Commission for the period of *fifteen years* terminating last before 40

the commencement of each such first-mentioned period respectively and all tithe rentcharges shall be payable accordingly. A.D. 1900.

(3.) After the *passing of this Act* no variation shall be made in any tithe rentcharge, save in accordance with the provisions of this Act.

4. So much of section seven of the Irish Church Act, 1869, Amendment Act, 1872, as provides for the sale of tithe rentcharges shall be repealed. Repeal of 35 & 36 Vict. c. 90. s. 7, as to sale of tithe rentcharges.

5. Any payments of tithe rentcharge made before the *passing of this Act* in pursuance of any order of a court of quarter sessions shall be deemed valid and sufficient, notwithstanding any non-compliance with the provisions of any Act with reference to the variation of tithe rentcharges. Validation of previous payments.

6. The amount of tithe rentcharge payable by any person as from the *first day of November one thousand eight hundred and ninety-eight* shall be deemed to have been and shall hereafter be reduced in respect of every pound in value thereof:— Provision with respect to deduction of poor rate. 61 & 62 Vict. c. 37.

(a.) if the tithe rentcharge is payable out of hereditaments situate within a rural district, by one-half of the standard rate of poor rate certified under section forty-nine of the Local Government (Ireland) Act, 1898, as having been levied off those hereditaments; and

(b.) if the tithe rentcharge is payable out of hereditaments situate within an urban district, by the whole of such standard rate so certified as having been levied off those hereditaments:

Provided that from the first half-yearly payment so reduced which accrues due next after the *passing of this Act*, there may be deducted one-half of such standard rate, if the tithe rentcharge is payable out of hereditaments situate within a rural district, and the whole of such standard rate if the tithe rentcharge is payable out of hereditaments situate within an urban district.

Provided also that if the total amount paid in respect of any tithe rentcharge accruing due after the *first day of November one thousand eight hundred and ninety-eight*, and before the day next after the *passing of this Act*, exceeds the amount which would have been payable if this Act had come into operation before the said first day of November, the difference may be deducted from such first half-yearly payment as aforesaid, and if such total amount is less than would have been so payable, the difference shall be paid together with such half-yearly payment.

A.D. 1900.

Liability of  
owner to  
pay propo-  
tion of  
tithe rent-  
charge.

7.—(1.) Where the hereditaments out of which any tithe rentcharge is payable are separately owned by several persons liable to pay the tithe rentcharge, any of such owners shall be liable only to pay such proportion of the whole tithe rentcharge as the rateable value of the hereditaments separately owned by him or them bears 5 to the rateable value of the whole of the hereditaments out of which such tithe rentcharge is payable.

(2.) The proportionate part of a tithe rentcharge payable by any person in pursuance of the foregoing enactment, shall be recoverable from that person by the same remedies and in the 10 same manner as if he was solely liable for the whole tithe rentcharge.

Definitions.

8. In this Act, unless the context otherwise requires—

The expression "the Land Commission" means the Irish Land Commission; and 15

The expression "tithe rentcharge" means a rentcharge in lieu of tithes, whether payable to the Land Commission or to any lay impropriator or other person.

Short title  
and extent  
of Act.

9. This Act may be cited as the Tithe Rentcharge (Ireland) Act, 1900, and shall extend to Ireland only. 20

Repeal.

10. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

## SCHEDULE.

A.D. 1900.

## ACTS REPEALED.

Section and Chapter.	Short Title.	Extent of Repeal.
5 1 & 2 Vict. c. 56.	The Poor Relief (Ireland) Act, 1838.	Section seventy-six.
1 & 2 Vict. c. 109.	The Tithe Rentcharge (Ireland) Act, 1838.	Section thirty-two.
10 5 & 36 Vict. c. 90.	The Irish Church Act, 1860, Amendment Act, 1872.	Sub-section (3) of section six. Section seven, from the beginning of the section to "same lands," and the words "this and."

**Tithe Rentcharge<sup>a</sup>**  
(Ireland).

To amend the Law relating to Title  
Exchanges in Ireland.

(Prepared and brought in by  
His Attorney General for Ireland and  
His Clerk, William J. Sullivan.)

Ordered by The House of Commons, 20 July 1992,  
20 February 1993

RESEARCH ON THE EFFECTS OF THE 1997-1998  
EL NIÑO ON THE ECONOMY OF THE UNITED STATES

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14

